

CHAPTER 177

APPROPRIATIONS — EDUCATION

S.F. 470

AN ACT relating to the funding of, the operation of, and appropriation of moneys to the college student aid commission, the department for the blind, the department of education, and the state board of regents, providing for related matters, and providing effective dates.

Be It Enacted by the General Assembly of the State of Iowa:

**DIVISION I
EDUCATION APPROPRIATIONS
DEPARTMENT FOR THE BLIND**

Section 1. ADMINISTRATION. There is appropriated from the general fund of the state to the department for the blind for the fiscal year beginning July 1, 2009, and ending June 30, 2010, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	2,258,072
.....	FTEs	90.00

COLLEGE STUDENT AID COMMISSION

Sec. 2. There is appropriated from the general fund of the state to the college student aid commission for the fiscal year beginning July 1, 2009, and ending June 30, 2010, the following amounts, or so much thereof as may be necessary, to be used for the purposes designated:

1. GENERAL ADMINISTRATION

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	349,381
.....	FTEs	4.30

2. STUDENT AID PROGRAMS

For payments to students for the Iowa grant program:

.....	\$	981,743
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3. DES MOINES UNIVERSITY — OSTEOPATHIC MEDICAL CENTER

a. For forgivable loans to Iowa students attending Des Moines university — osteopathic medical center under the forgivable loan program pursuant to section 261.19:

.....	\$	91,668
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To receive funds appropriated pursuant to this paragraph, Des Moines university — osteopathic medical center shall match the funds with institutional funds on a dollar-for-dollar basis.

b. For Des Moines university — osteopathic medical center for an initiative in primary health care to direct primary care physicians to shortage areas in the state:

.....	\$	312,821
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4. NATIONAL GUARD EDUCATIONAL ASSISTANCE PROGRAM

For purposes of providing national guard educational assistance under the program established in section 261.86:

.....	\$	3,499,545
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5. TEACHER SHORTAGE LOAN FORGIVENESS PROGRAM

For the teacher shortage loan forgiveness program established in section 261.112:

.....	\$	438,282
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6. ALL IOWA OPPORTUNITY FOSTER CARE GRANT PROGRAM

For purposes of the all Iowa opportunity foster care grant program established pursuant to section 261.6:

..... \$ 687,510

7. ALL IOWA OPPORTUNITY SCHOLARSHIP PROGRAM

For purposes of the all Iowa opportunity scholarship program established pursuant to section 261.87:

..... \$ 2,502,537

If the moneys appropriated by the general assembly to the college student aid commission for fiscal year 2009-2010 for purposes of the all Iowa opportunity scholarship program exceed \$500,000, "eligible institution" as defined in section 261.87, shall, during fiscal year 2009-2010, include accredited private institutions as defined in section 261.9, subsection 1.

8. REGISTERED NURSE AND NURSE EDUCATOR LOAN FORGIVENESS PROGRAM

For purposes of the registered nurse and nurse educator loan forgiveness program established pursuant to section 261.23:

..... \$ 90,293

a. It is the intent of the general assembly that the commission continue to consider moneys allocated pursuant to this subsection as funds that meet the state matching funds requirements of the federal leveraging educational assistance program and the federal supplemental leveraging educational assistance program established under the Higher Education Act of 1965, as amended.

b. It is the intent of the general assembly that appropriations made for purposes of the registered nurse and nurse educator loan forgiveness program for the fiscal year beginning July 1, 2009, and each succeeding fiscal year, be distributed under the program created pursuant to section 261.23, for registered nurses and nurse educators.

9. BARBER AND COSMETOLOGY ARTS AND SCIENCES TUITION GRANT PROGRAM

For purposes of the barber and cosmetology arts and sciences tuition grant program established pursuant to section 261.18:

..... \$ 45,834

Sec. 3. COLLEGE STUDENT AID COMMISSION TRANSFERS.

1. The college student aid commission shall, at the close of the fiscal year beginning July 1, 2008, transfer from moneys appropriated for purposes of a Washington D.C. internship grant pursuant to 2008 Iowa Acts, chapter 1181, section 2, subsection 9, which were refunded to the commission by the grantee, an amount up to \$65,000 to be used for purposes of the national guard educational assistance program established in section 261.86.

2. Notwithstanding section 261.87, subsection 5, the college student aid commission shall, at the close of the fiscal year beginning July 1, 2008, transfer from unencumbered or unobligated moneys remaining in the all Iowa opportunity scholarship fund, an amount up to \$460,000 to be used for purposes of the national guard educational assistance program established in section 261.86.

Sec. 4. CHIROPRACTIC LOAN FUNDS. Notwithstanding section 261.72, from the moneys deposited in the chiropractic loan revolving fund created pursuant to section 261.72, up to \$20,000 shall be used for purposes of the chiropractic loan forgiveness program established in section 261.73.

Sec. 5. WORK-STUDY APPROPRIATION FOR FY 2009-2010. Notwithstanding section 261.85, for the fiscal year beginning July 1, 2009, and ending June 30, 2010, the amount appropriated from the general fund of the state to the college student aid commission for the work-study program under section 261.85 shall be zero.

DEPARTMENT OF EDUCATION

Sec. 6. There is appropriated from the general fund of the state to the department of educa-

tion for the fiscal year beginning July 1, 2009, and ending June 30, 2010, the following amounts, or so much thereof as may be necessary, to be used for the purposes designated:

1. GENERAL ADMINISTRATION

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	7,906,880
.....	FTEs	91.37

2. VOCATIONAL EDUCATION ADMINISTRATION

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	582,755
.....	FTEs	13.50

3. VOCATIONAL REHABILITATION SERVICES DIVISION

a. For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	5,155,508
.....	FTEs	281.50

b. For matching funds for programs to enable persons with severe physical or mental disabilities to function more independently, including salaries and support, and for not more than the following full-time equivalent position:

.....	\$	51,075
.....	FTEs	1.00

c. For the entrepreneurs with disabilities program pursuant to section 259.4, subsection 9:

.....	\$	180,590
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4. STATE LIBRARY

a. For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	1,748,500
.....	FTEs	19.00

b. For the enrich Iowa program established under section 256.57:

.....	\$	1,796,081
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5. LIBRARY SERVICE AREA SYSTEM

For state aid:

.....	\$	1,562,210
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6. PUBLIC BROADCASTING DIVISION

For salaries, support, maintenance, capital expenditures, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	8,971,682
.....	FTEs	82.00

Of the amount appropriated in this subsection, \$90,295 shall be allocated to pay the costs of the ready-to-learn program.

7. REGIONAL TELECOMMUNICATIONS COUNCILS

For state aid:

.....	\$	1,232,071
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The regional telecommunications councils established in section 8D.5 shall use the moneys appropriated in this subsection to provide technical assistance for network classrooms, planning and troubleshooting for local area networks, scheduling of video sites, and other related support activities.

8. VOCATIONAL EDUCATION TO SECONDARY SCHOOLS

For reimbursement for vocational education expenditures made by secondary schools:

.....	\$	2,696,921
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Moneys appropriated in this subsection shall be used to reimburse school districts for vocational education expenditures made by secondary schools to meet the standards set in sections 256.11, 258.4, and 260C.14.

9. SCHOOL FOOD SERVICE

For use as state matching funds for federal programs that shall be disbursed according to federal regulations, including salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	2,266,069
.....	FTEs	17.43

10. IOWA EMPOWERMENT FUND — GENERAL AID

For deposit in the school ready children grants account of the Iowa empowerment fund created in section 28.9:

.....	\$	7,477,675
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a. From the moneys deposited in the school ready children grants account for the fiscal year beginning July 1, 2009, and ending June 30, 2010, not more than \$295,500 is allocated for the community empowerment office and other technical assistance activities, and of that amount not more than \$49,250 shall be used to administer the early childhood coordinator’s position pursuant to section 28.3, subsection 7. It is the intent of the general assembly that regional technical assistance teams will be established and will include staff from various agencies, as appropriate, including the area education agencies, community colleges, the university of northern Iowa, and the Iowa state university of science and technology cooperative extension service in agriculture and home economics. The Iowa empowerment board shall direct staff to work with the advisory council to inventory technical assistance needs. Moneys allocated under this lettered paragraph may be used by the Iowa empowerment board for the purpose of skills development and support for ongoing training of the regional technical assistance teams. However, except as otherwise provided in this subsection, moneys shall not be used for additional staff or for the reimbursement of staff.

b. As a condition of receiving moneys appropriated in this subsection, each community empowerment area board shall report to the Iowa empowerment board progress on each of the state indicators approved by the state board, as well as progress on local indicators. The community empowerment area board must also submit a written plan amendment extending by one year the area’s comprehensive school ready children grant plan developed for providing services for children from birth through five years of age and provide other information specified by the Iowa empowerment board. The amendment may also provide for changes in the programs and services provided under the plan. The Iowa empowerment board shall establish a submission deadline for the plan amendment that allows a reasonable period of time for preparation of the plan amendment and for review and approval or request for modification of the plan amendment by the Iowa empowerment board. In addition, the community empowerment board must continue to comply with reporting provisions and other requirements adopted by the Iowa empowerment board in implementing section 28.8.

c. Of the amount appropriated in this subsection for deposit in the school ready children grants account of the Iowa empowerment fund, \$2,575,575 shall be used for efforts to improve the quality of early care, health, and education programs. Moneys allocated pursuant to this paragraph may be used for additional staff and for the reimbursement of staff. The Iowa empowerment board may reserve a portion of the allocation, not to exceed \$98,500 for the technical assistance expenses of the Iowa empowerment office and shall distribute the remainder to community empowerment areas for local quality improvement efforts through a methodology identified by the board to make the most productive use of the funding, which may include use of the distribution formula, grants, or other means.

d. Of the amount appropriated in this subsection for deposit in the school ready children grants account of the Iowa empowerment fund, \$916,700 shall be used for support of professional development and training activities for persons working in early care, health, and education by the Iowa empowerment board in collaboration with representation from the Iowa state university of science and technology cooperative extension service in agriculture and home economics, the university of northern Iowa, the department of education, area education agencies, community colleges, child care resource and referral services, and community em-

powerment area boards. Expenditures shall be limited to professional development and training activities agreed upon by the parties participating in the collaboration.

11. IOWA EMPOWERMENT FUND — PRESCHOOL TUITION ASSISTANCE

a. For deposit in the school ready children grants account of the Iowa empowerment fund created in section 28.9:

..... \$ 8,772,150

b. The amount appropriated in this subsection shall be used for early care, health, and education programs to assist low-income parents with tuition for preschool and other supportive services for children ages three, four, and five who are not attending kindergarten in order to increase the basic family income eligibility requirement to not more than 200 percent of the federal poverty level. In addition, if sufficient funding is available after addressing the needs of those who meet the basic income eligibility requirement, a community empowerment area board may provide for eligibility for those with a family income in excess of the basic income eligibility requirement through use of a sliding scale or other copayment provisions.

12. IOWA EMPOWERMENT FUND — FAMILY SUPPORT AND PARENT EDUCATION

a. For deposit in the school ready children grants account of the Iowa empowerment fund created in section 28.9:

..... \$ 15,214,551

b. The amount appropriated in this subsection shall be used for family support services and parent education programs targeted to families expecting a child or with newborn and infant children through age five and shall be distributed using the distribution formula approved by the Iowa empowerment board and shall be used by a community empowerment area only for family support services and parent education programs targeted to families expecting a child or with newborn and infant children through age five. The programs funded under this subsection shall have a home visitation component.

13. BIRTH TO AGE THREE SERVICES

For expansion of the federal Individuals With Disabilities Education Improvement Act of 2004, Pub. L. No. 108-446, as amended to January 1, 2009, birth through age three services due to increased numbers of children qualifying for those services:

..... \$ 1,554,304

From the moneys appropriated in this subsection, \$383,769 shall be allocated to the child health specialty clinic at the state university of Iowa to provide additional support for infants and toddlers who are born prematurely, drug-exposed, or medically fragile.

14. FOUR-YEAR-OLD PRESCHOOL PROGRAM

For allocation to eligible school districts for the four-year-old preschool program under chapter 256C, and for not more than the following full-time equivalent positions:

..... \$ 11,538,863

..... FTEs 3.00

From the moneys appropriated pursuant to this subsection, not more than \$303,531 shall be used by the department for administration of the four-year-old preschool program established pursuant to chapter 256C.

15. TEXTBOOKS OF NONPUBLIC SCHOOL PUPILS

To provide moneys for costs of providing textbooks to each resident pupil who attends a non-public school as authorized by section 301.1:

..... \$ 625,634

Funding under this subsection is limited to \$20 per pupil and shall not exceed the comparable services offered to resident public school pupils.

16. BEGINNING ADMINISTRATOR MENTORING AND INDUCTION PROGRAM

For purposes of administering the beginning administrator mentoring and induction program established pursuant to chapter 284A:

..... \$ 225,733

17. CORE CURRICULUM AND CAREER INFORMATION AND DECISION-MAKING SYSTEM

For purposes of implementing the statewide core curriculum for school districts and accred-

ited nonpublic schools and a state-designated career information and decision-making system:

..... \$ 1,979,540

18. STUDENT ACHIEVEMENT AND TEACHER QUALITY PROGRAM

For purposes of the student achievement and teacher quality program established pursuant to chapter 284, and for not more than the following full-time equivalent positions:

..... \$ 7,614,750

..... FTEs 4.70

19. COMMUNITY COLLEGES

For general state financial aid to merged areas as defined in section 260C.2 in accordance with chapters 258 and 260C:

..... \$ 158,678,501

Notwithstanding the allocation formula in section 260C.18C, the funds appropriated in this subsection shall be allocated as follows:

a. Merged Area I \$ 7,897,910

b. Merged Area II \$ 8,516,966

c. Merged Area III \$ 7,841,186

d. Merged Area IV \$ 3,851,558

e. Merged Area V \$ 8,641,384

f. Merged Area VI \$ 7,498,085

g. Merged Area VII \$ 11,126,360

h. Merged Area IX \$ 13,843,859

i. Merged Area X \$ 23,966,719

j. Merged Area XI \$ 23,955,883

k. Merged Area XII \$ 9,103,886

l. Merged Area XIII \$ 9,268,324

m. Merged Area XIV \$ 3,905,145

n. Merged Area XV \$ 12,251,603

o. Merged Area XVI \$ 7,009,633

Sec. 7. COMMUNITY COLLEGE SALARIES. There is appropriated from the general fund of the state to the department of education for the fiscal year beginning July 1, 2009, and ending June 30, 2010, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For distribution to community colleges to supplement faculty salaries:

..... \$ 916,680

Sec. 8. IOWA EMPOWERMENT BOARD — FIRST YEARS FIRST ACCOUNT. Notwithstanding section 28.9, subsection 5, from the moneys deposited in the first years first account created in section 28.9, subsection 5, for the fiscal year beginning July 1, 2009, and ending June 30, 2010, \$2,000,000 shall be distributed to community empowerment areas by the Iowa empowerment board using the distribution formula for school ready grants.

Sec. 9. BOARD OF EDUCATIONAL EXAMINERS LICENSING FEES. Notwithstanding section 272.10, subsection 2, in addition to the percentage of licensing fees required to be deposited with the treasurer of state and credited to the general fund of the state pursuant to section 272.10, subsection 2, the executive director of the board of educational examiners shall, at the close of the fiscal year beginning July 1, 2008, transfer the amount of \$454,000 to the department of education to be used to supplement, not supplant, moneys allocated for purposes of the beginning teacher mentoring and induction program as provided in section 284.13, subsection 1, paragraph "b".

STATE BOARD OF REGENTS

Sec. 10. There is appropriated from the general fund of the state to the state board of re-

gents for the fiscal year beginning July 1, 2009, and ending June 30, 2010, the following amounts, or so much thereof as may be necessary, to be used for the purposes designated:

1. OFFICE OF STATE BOARD OF REGENTS

a. For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	1,227,914
.....	FTEs	16.00

The state board of regents shall submit a monthly financial report in a format agreed upon by the state board of regents office and the legislative services agency.

b. For moneys to be allocated to the southwest Iowa graduate studies center:

.....	\$	100,851
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c. For moneys to be allocated to the siouxland interstate metropolitan planning council for the tristate graduate center under section 262.9, subsection 21:

.....	\$	76,789
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d. For moneys to be allocated to the quad-cities graduate studies center:

.....	\$	149,628
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e. For moneys to be distributed to Iowa public radio for public radio operations:

.....	\$	451,465
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2. STATE UNIVERSITY OF IOWA

a. General university, including lakeside laboratory

For salaries, support, maintenance, equipment, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	235,483,091
.....	FTEs	5,058.55

b. Center for disabilities and development

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	6,335,993
.....	FTEs	130.37

From the moneys appropriated in this lettered paragraph, \$182,140 shall be allocated for purposes of the employment policy group.¹

c. Oakdale campus

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	2,521,028
.....	FTEs	38.25

d. State hygienic laboratory

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	4,077,715
.....	FTEs	102.50

e. Family practice program

For allocation by the dean of the college of medicine, with approval of the advisory board, to qualified participants to carry out the provisions of chapter 148D for the family practice program, including salaries and support, and for not more than the following full-time equivalent positions:

.....	\$	2,061,809
.....	FTEs	190.40

f. Child health care services

For specialized child health care services, including childhood cancer diagnostic and treatment network programs, rural comprehensive care for hemophilia patients, and the Iowa high-risk infant follow-up program, including salaries and support, and for not more than the following full-time equivalent positions:

.....	\$	760,330
.....	FTEs	57.97

¹ See chapter 179, §83 herein

g. Statewide cancer registry

For the statewide cancer registry, and for not more than the following full-time equivalent positions:

.....	\$	171,851
.....	FTEs	2.10

h. Substance abuse consortium

For moneys to be allocated to the Iowa consortium for substance abuse research and evaluation, and for not more than the following full-time equivalent position:

.....	\$	64,023
.....	FTEs	1.00

i. Center for biocatalysis

For the center for biocatalysis, and for not more than the following full-time equivalent positions:

.....	\$	834,433
.....	FTEs	6.28

j. Primary health care initiative

For the primary health care initiative in the college of medicine, and for not more than the following full-time equivalent positions:

.....	\$	748,195
.....	FTEs	5.89

From the moneys appropriated in this lettered paragraph, \$301,531 shall be allocated to the department of family practice at the state university of Iowa college of medicine for family practice faculty and support staff.

k. Birth defects registry

For the birth defects registry, and for not more than the following full-time equivalent position:

.....	\$	44,145
.....	FTEs	1.00

l. Larned A. Waterman Iowa nonprofit resource center

For the Larned A. Waterman Iowa nonprofit resource center, and for not more than the following full-time equivalent positions:

.....	\$	187,402
.....	FTEs	2.75

3. IOWA STATE UNIVERSITY OF SCIENCE AND TECHNOLOGY

a. General university

For salaries, support, maintenance, equipment, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	184,987,583
.....	FTEs	3,647.42

b. Agricultural experiment station

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	32,412,044
.....	FTEs	546.98

c. Cooperative extension service in agriculture and home economics

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	20,680,435
.....	FTEs	383.34

d. Leopold center

For agricultural research grants at Iowa state university of science and technology under section 266.39B, and for not more than the following full-time equivalent positions:

.....	\$	458,209
.....	FTEs	11.25

e. Livestock disease research

For deposit in and the use of the livestock disease research fund under section 267.8:

..... \$ 199,284

f. Veterinary diagnostic laboratory

For purposes of supporting the college of veterinary medicine for the operation of the veterinary diagnostic laboratory:

..... \$ 916,680

(1) (a) Iowa state university shall not reduce the amount that it allocates to support the college of veterinary medicine from any other source due to the appropriation made in this lettered paragraph.

(b) Subparagraph subdivision (a) does not apply to a reduction made to support the college of veterinary medicine if the same percentage of reduction imposed on the college of veterinary medicine is also imposed on all of Iowa state university's budget units.

(2) If by the end of the fiscal year Iowa state university fails to allocate the moneys appropriated in this lettered paragraph "f" to the college of veterinary medicine in accordance with this lettered paragraph "f", the moneys appropriated in this lettered paragraph "f" for that fiscal year shall revert to the general fund.

4. UNIVERSITY OF NORTHERN IOWA

a. General university

For salaries, support, maintenance, equipment, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 83,789,887

..... FTEs 1,447.50

b. Recycling and reuse center

For purposes of the recycling and reuse center, and for not more than the following full-time equivalent positions:

..... \$ 202,064

..... FTEs 3.00

c. Science, technology, engineering, and mathematics (STEM) collaborative initiative

For purposes of establishing a science, technology, engineering, and mathematics (STEM) collaborative initiative, and for not more than the following full-time equivalent positions:

..... \$ 3,611,721

..... FTEs 6.20

d. Real estate education program

For purposes of the real estate education program, and for not more than the following full-time equivalent position:

..... \$ 144,469

..... FTEs 1.00

5. STATE SCHOOL FOR THE DEAF

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 9,143,424

..... FTEs 126.60

6. IOWA BRAILLE AND SIGHT SAVING SCHOOL

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 5,170,134

..... FTEs 62.87

7. TUITION AND TRANSPORTATION COSTS

For payment to local school boards for the tuition and transportation costs of students residing in the Iowa braille and sight saving school and the state school for the deaf pursuant to section 262.43 and for payment of certain clothing, prescription, and transportation costs for students at these schools pursuant to section 270.5:

..... \$ 13,562

Sec. 11. For the fiscal year beginning July 1, 2009, and ending June 30, 2010, the state board of regents may use notes, bonds, or other evidences of indebtedness issued under section 262.48 to finance projects that will result in energy cost savings in an amount that will cause the state board to recover the cost of the projects within an average of six years.

Sec. 12. Notwithstanding section 270.7, the department of administrative services shall pay the state school for the deaf and the Iowa braille and sight saving school the moneys collected from the counties during the fiscal year beginning July 1, 2009, for expenses relating to prescription drug costs for students attending the state school for the deaf and the Iowa braille and sight saving school.

Sec. 13. STATE DEPARTMENT OR AGENCY COST-SAVING MEASURES. For the fiscal year beginning July 1, 2009, and ending June 30, 2010, a state department or state agency to which an appropriation is made pursuant to this Act shall do the following:

1. Submit electronically any report the department or agency is required to submit to the general assembly. Notwithstanding any provision to the contrary, the department or agency shall not submit a printed copy of any report to the general assembly.

2. Develop and implement procedures that result in cost savings for office supplies, service contracts, professional services, video conferencing, use of the Iowa telecommunications network, equipment purchases, and interstate and intrastate travel by state employees and members of state boards, committees, commissions, and councils for which the department or agency provides administrative services.

*3. *Require employees, in order to receive expense reimbursement, to submit actual receipts for meals and other costs. To the extent possible, receipts shall be submitted electronically. Reimbursement up to the maximum amount shall only be allowed in an amount equal to the sum of the receipts submitted by an employee.**

Sec. 14. Section 28.8, subsection 3, paragraph b, Code 2009, is amended to read as follows:

b. Family support services and parent education programs promoted to parents of children from birth through five years of age. The services and programs shall be offered in a flexible manner to accommodate the varying schedules, meeting place requirements, and other needs of working parents. Family support services shall include but are not limited to home visitation. ~~After a community empowerment area board has committed the portion of school ready grant funding that is designated or authorized by law to be used or set aside for a particular purpose, the community board shall commit approximately sixty percent of the remainder to family support services and parent education programs targeted to families with children who are newborn through age five.~~

Sec. 15. Section 257.6, subsection 1, paragraph a, subparagraph (5), Code 2009, is amended to read as follows:

(5) Resident pupils receiving competent private instruction from a licensed practitioner provided through a public school district pursuant to chapter 299A shall be counted as three-tenths of one pupil. ~~School districts shall not spend less than the amount expended for the delivery of home school assistance programming during the fiscal year beginning July 1, 2007, unless there is a decline in enrollment in the program. If a school district offered a home school assistance program in the fiscal year beginning July 1, 2007, it shall continue to offer a home school assistance program in the fiscal year beginning July 1, 2008, and subsequent fiscal years. Revenues received by a school district attributed to a school district's weighted enrollment pursuant to this paragraph shall be expended for the purpose for which the weighting was assigned under this paragraph.~~ If the school district determines that the expenditures associated with providing competent private instruction pursuant to chapter 299A are in excess of the revenue attributed to the school district's weighted enrollment for such instruction in accordance with this subparagraph, the school district may submit a request to the school budget review committee for modified allowable growth in accordance with section 257.31, sub-

* Item veto; see message at end of the Act

section 5, paragraph “n”. A home school assistance program shall not provide moneys received pursuant to this subparagraph, nor resources paid for with moneys received pursuant to this subparagraph, to parents or students utilizing the program.

Sec. 16. Section 257.9, subsections 6, 7, 9, and 10, Code 2009, are amended to read as follows:

6. TEACHER SALARY SUPPLEMENT STATE COST PER PUPIL. For the budget year beginning July 1, 2009, for the teacher salary supplement state cost per pupil, the department of management shall add together the teacher compensation allocation made to each district for the fiscal year beginning July 1, 2008, pursuant to section 284.13, subsection 1, paragraph “h”, Code 2009, and the phase II allocation made to each district for the fiscal year beginning July 1, 2008, pursuant to section 294A.9, Code 2009, and divide that sum by the statewide total budget enrollment for the fiscal year beginning July 1, 2009. The teacher salary supplement state cost per pupil for the budget year beginning July 1, 2010, and succeeding budget years, shall be the amount calculated by the department of management under this subsection for the base year plus an allowable growth amount that is equal to the teacher salary supplement categorical state percent of growth, pursuant to section 257.8, subsection 2, for the budget year, multiplied by the amount calculated by the department of management under this subsection for the base year.

7. PROFESSIONAL DEVELOPMENT SUPPLEMENT STATE COST PER PUPIL. For the budget year beginning July 1, 2009, for the professional development supplement state cost per pupil, the department of management shall add together the professional development allocation made to each district for the fiscal year beginning July 1, 2008, pursuant to section 284.13, subsection 1, paragraph “d”, Code 2009, and divide that sum by the statewide total budget enrollment for the fiscal year beginning July 1, 2009. The professional development supplement state cost per pupil for the budget year beginning July 1, 2010, and succeeding budget years, shall be the amount calculated by the department of management under this subsection for the base year plus an allowable growth amount that is equal to the professional development supplement categorical state percent of growth, pursuant to section 257.8, subsection 2, for the budget year, multiplied by the amount calculated by the department of management under this subsection for the base year.

9. AREA EDUCATION AGENCY TEACHER SALARY SUPPLEMENT STATE COST PER PUPIL. For the budget year beginning July 1, 2009, for the area education agency teacher salary supplement state cost per pupil, the department of management shall add together the teacher compensation allocation made to each area education agency for the fiscal year beginning July 1, 2008, pursuant to section 284.13, subsection 1, paragraph “i”, Code 2009, and the phase II allocation made to each area education agency for the fiscal year beginning July 1, 2008, pursuant to section 294A.9, Code 2009, and divide that sum by the statewide special education support services weighted enrollment for the fiscal year beginning July 1, 2009. The area education agency teacher salary supplement state cost per pupil for the budget year beginning July 1, 2010, and succeeding budget years, shall be the amount calculated by the department of management under this subsection for the base year plus an allowable growth amount that is equal to the teacher salary supplement categorical state percent of growth, pursuant to section 257.8, subsection 2, for the budget year, multiplied by the amount calculated by the department of management under this subsection for the base year.

10. AREA EDUCATION AGENCY PROFESSIONAL DEVELOPMENT SUPPLEMENT STATE COST PER PUPIL. For the budget year beginning July 1, 2009, for the area education agency professional development supplement state cost per pupil, the department of management shall add together the professional development allocation made to each area education agency for the fiscal year beginning July 1, 2008, pursuant to section 284.13, subsection 1, paragraph “d”, Code 2009, and divide that sum by the statewide special education support services weighted enrollment for the fiscal year beginning July 1, 2009. The area education agency professional development supplement state cost per pupil for the budget year beginning July 1, 2010, and succeeding budget years, shall be the amount calculated by the department of man-

agement under this subsection for the base year plus an allowable growth amount that is equal to the professional development supplement categorical state percent of growth, pursuant to section 257.8, subsection 2, for the budget year, multiplied by the amount calculated by the department of management under this subsection for the base year.

Sec. 17. Section 257.10, subsection 9, paragraph a, Code 2009, is amended to read as follows:

a. For the budget year beginning July 1, 2009, the department of management shall add together the teacher compensation allocation made to each district for the fiscal year beginning July 1, 2008, pursuant to section 284.13, subsection 1, paragraph "h", Code 2009, and the phase II allocation made to each district for the fiscal year beginning July 1, 2008, pursuant to section 294A.9, Code 2009, and divide that sum by the district's budget enrollment in the fiscal year beginning July 1, 2009, to determine the teacher salary supplement district cost per pupil. For the budget year beginning July 1, 2010, and succeeding budget years, the teacher salary supplement district cost per pupil for each school district for a budget year is the teacher salary supplement program district cost per pupil for the base year plus the teacher salary supplement state allowable growth amount for the budget year.

Sec. 18. Section 257.10, subsection 10, paragraph a, Code 2009, is amended to read as follows:

a. For the budget year beginning July 1, 2009, the department of management shall divide the professional development allocation made to each district for the fiscal year beginning July 1, 2008, pursuant to section 284.13, subsection 1, paragraph "d", Code 2009, by the district's budget enrollment in the fiscal year beginning July 1, 2009, to determine the professional development supplement cost per pupil. For the budget year beginning July 1, 2010, and succeeding budget years, the professional development supplement district cost per pupil for each school district for a budget year is the professional development supplement district cost per pupil for the base year plus the professional development supplement state allowable growth amount for the budget year.

Sec. 19. Section 257.37A, subsection 1, paragraph a, Code 2009, is amended to read as follows:

a. For the budget year beginning July 1, 2009, the department of management shall add together the teacher compensation allocation made to each area education agency for the fiscal year beginning July 1, 2008, pursuant to section 284.13, subsection 1, paragraph "i", Code 2009, and the phase II allocation made to each area education agency for the fiscal year beginning July 1, 2008, pursuant to section 294A.9, Code 2009, and divide that sum by the special education support services weighted enrollment in the fiscal year beginning July 1, 2009, to determine the area education agency teacher salary supplement cost per pupil. For the budget year beginning July 1, 2010, and succeeding budget years, the area education agency teacher salary supplement district cost per pupil for each area education agency for a budget year is the area education agency teacher salary supplement district cost per pupil for the base year plus the area education agency teacher salary supplement state allowable growth amount for the budget year.

Sec. 20. Section 257.37A, subsection 2, paragraph a, Code 2009, is amended to read as follows:

a. For the budget year beginning July 1, 2009, the department of management shall divide the area education agency professional development supplement made to each area education agency for the fiscal year beginning July 1, 2008, pursuant to section 284.13, subsection 1, paragraph "d", Code 2009, by the special education support services weighted enrollment in the fiscal year beginning July 1, 2009, to determine the professional development supplement cost per pupil. For the budget year beginning July 1, 2010, and succeeding budget years, the area education agency professional development supplement district cost per pupil for each area

education agency for a budget year is the area education agency professional development supplement district cost per pupil for the base year plus the area education agency professional development supplement state allowable growth amount for the budget year.

Sec. 21. Section 260C.14, subsection 22, paragraph a, Code 2009, is amended by adding the following new subparagraphs:

NEW SUBPARAGRAPH. (7) The contracted salary and benefits for the trustees of the community college.

NEW SUBPARAGRAPH. (8) The contracted salary and benefits and any other expenses related to support for governmental affairs efforts, including expenditures for lobbyists and lobbying activities for the community college.

NEW SUBPARAGRAPH. (9) The contracted salaries, including but not limited to bonus wages and benefits, including but not limited to annuity payments or any other benefit covered using state funds of any kind for administrators of the community college.

Sec. 22. Section 260C.14, subsection 22, Code 2009, is amended by adding the following new paragraph:

NEW PARAGRAPH. c. The department shall submit a report to the general assembly summarizing the data submitted in paragraph "a" by January 15 annually.

Sec. 23. Section 260C.18D, Code 2009, is amended by adding the following new subsection:

NEW SUBSECTION. 5. EVENLY DIVIDED PAYMENTS. A community college receiving funds distributed pursuant to this section shall determine the amount to be paid to instructors in accordance with subsection 4 and the amount determined to be paid to an individual instructor shall be divided evenly and paid in each pay period of the fiscal year.

Sec. 24. Section 261.2, Code 2009, is amended by adding the following new subsection:

NEW SUBSECTION. 10. Require any postsecondary institution whose students are eligible for or who receive assistance under programs administered by the commission and who were enrolled in a school district in Iowa to include in its student management information system the unique student identifiers assigned to the institution's students while the students were in the state's kindergarten through grade twelve system.

Sec. 25. Section 261.6, subsection 2, Code 2009, is amended to read as follows:

2. The program shall provide financial assistance for postsecondary education or training to persons ~~a person who have has~~ a high school diploma or a high school equivalency diploma under chapter 259A, ~~are age eighteen through twenty-three, and are is~~ described by any of the following:

a. Is age seventeen and is in a court-ordered placement under chapter 232 under the care and custody of the department of human services or juvenile court services.

b. Is age seventeen and has been placed in the state training school or the Iowa juvenile home pursuant to a court order entered under chapter 232 under the care and custody of the department of human services.

c. Is age eighteen through twenty-three and is described by any of the following:

(1) On the date the person reached age eighteen or during the thirty calendar days preceding or succeeding that date, the person was in a licensed foster care placement pursuant to a court order entered under chapter 232 under the care and custody of the department of human services or juvenile court services.

b- (2) On the date the person reached age eighteen or during the thirty calendar days preceding or succeeding that date, the person was under a court order under chapter 232 to live with a relative or other suitable person.

e- (3) The person was in a licensed foster care placement pursuant to an order entered under chapter 232 prior to being legally adopted after reaching age sixteen.

d. (4) On the date the person reached age eighteen or during the thirty calendar days preceding or succeeding that date, the person was placed in the state training school or the Iowa juvenile home pursuant to a court order entered under chapter 232 under the care and custody of the department of human services.

Sec. 26. Section 261.19, subsection 1, Code 2009, is amended to read as follows:

1. A physician recruitment program is established, to be administered by the college student aid commission, for Des Moines university — osteopathic medical center. The program shall consist of a forgivable loan program and a tuition scholarship program for students and a loan repayment program for physicians. The commission shall regularly adjust the physician service requirement under each aspect of the program to provide, to the extent possible, an equal financial benefit for each period of service required. ~~From funds appropriated for purposes of the program by the general assembly, the commission shall pay a fee to Des Moines university — osteopathic medical center for the administration of the program. A portion of the fee shall be paid by the commission to the university based upon the number of physicians recruited under subsection 4.~~

Sec. 27. Section 261.25, subsections 1, 2, and 3, Code 2009, are amended to read as follows:

1. There is appropriated from the general fund of the state to the commission for each fiscal year the sum of ~~fifty~~ forty-five million ~~seventy-three~~ two hundred thirteen thousand ~~seven hundred eighteen~~ sixty-nine dollars for tuition grants.

2. There is appropriated from the general fund of the state to the commission for each fiscal year the sum of ~~five~~ four million ~~five~~ nine hundred ~~twenty-four~~ eighty-eight thousand ~~eight~~ five hundred ~~fifty-eight~~ sixty-one dollars for tuition grants for students attending for-profit accredited private institutions located in Iowa. A for-profit institution which, effective March 9, 2005, purchased an accredited private institution that was exempt from taxation under section 501(c) of the Internal Revenue Code, shall be an eligible institution under the tuition grant program. In the case of a qualified student who was enrolled in such accredited private institution that was purchased by the for-profit institution effective March 9, 2005, and who continues to be enrolled in the eligible institution in succeeding years, the amount the student qualifies for under this subsection shall be not less than the amount the student qualified for in the fiscal year beginning July 1, 2004. For purposes of the tuition grant program, “for-profit accredited private institution” means an accredited private institution which is not exempt from taxation under section 501(c)(3) of the Internal Revenue Code but which otherwise meets the requirements of section 261.9, subsection 1, paragraph “b”, and whose students were eligible to receive tuition grants in the fiscal year beginning July 1, 2003.

3. There is appropriated from the general fund of the state to the commission for each fiscal year the sum of two million ~~seven~~ five hundred ~~eighty-three~~ twelve thousand ~~one~~ nine hundred ~~fifteen~~ fifty-eight dollars for vocational-technical tuition grants.

Sec. 28. Section 261.87, subsection 2, paragraph b, Code 2009, is amended to read as follows:

b. Achieves a cumulative high school grade point average ~~upon graduation~~ of at least two point five on a four-point grade scale, or its equivalent if another grade scale is used.

*Sec. 29. NEW SECTION. 261D.4 PROVISIONAL WITHDRAWAL FROM COMPACT.

*The state of Iowa hereby withdraws from the midwestern higher education compact effective July 1, 2009, until such time as the state has the resources to resume membership and reenters into the compact. The state of Iowa's obligations and liability under the compact shall cease upon the effective date of its withdrawal from the compact. This section shall prevail over any contrary provisions of this chapter.**

Sec. 30. Section 262.9, Code 2009, is amended by adding the following new subsections:

NEW SUBSECTION. 32. Submit its annual budget request broken down by budget unit.

* Item veto; see message at end of the Act

NEWSUBSECTION. 33. Annually, by October 1, submit in a report to the general assembly the following information for the previous fiscal year:

a. Total revenue received from each local school district as a result of high school students enrolled in courses under the postsecondary enrollment options program at the institutions of higher learning under the board's control.

b. Unduplicated headcount of high school students enrolled in courses under the postsecondary enrollment options program at the institutions of higher learning under the board's control.

c. Total credits earned by high school students enrolled in courses under the postsecondary enrollment options program at the institutions of higher learning under the board's control, broken down by degree program.

d. The compensation and benefits paid to the members of the board pursuant to section 7E.6.

e. The contracted salary and benefits and any other expenses related to support for governmental affairs efforts, including expenditures for liaisons and lobbying activities for the board and its institutions.

f. The contracted salaries, including but not limited to bonus wages and benefits, including but not limited to annuity payments or any other benefit covered using state funds of any kind for administrators of the institutions governed by the board.

Sec. 31. Section 264.5, Code 2009, is amended to read as follows:

264.5 FEES.

For the preparation of ~~each of such transcripts~~ a transcript in accordance with section 264.4, the state university may charge a nominal fee, ~~not to exceed five dollars~~, to compensate the institution for ~~the actual~~ its actual costs, including but not limited to the labor of involved in recording the credits, and preparing a transcript, and postage, etc.

Sec. 32. Section 272.2, subsection 10, Code 2009, is amended to read as follows:

10. Issue statements of professional recognition to school service personnel who have attained a minimum of a baccalaureate degree and who are licensed by another professional licensing board, including but not limited to athletic trainers licensed under chapter 152D.

Sec. 33. Section 272.2, Code 2009, is amended by adding the following new subsection:

NEWSUBSECTION. 18. May adopt rules for practitioners who are not eligible for a statement of professional recognition under subsection 10, but have received a baccalaureate degree and provide a service to students at any or all levels from prekindergarten through grade twelve for a school district, accredited nonpublic school, area education agency, or preschool program established pursuant to chapter 256C.

Sec. 34. Section 284.2, subsection 1, Code 2009, is amended to read as follows:

1. "Beginning teacher" means an individual serving under an initial or intern license, issued by the board of educational examiners under chapter 272, who is assuming a position as a teacher. For purposes of the beginning teacher mentoring and induction program created pursuant to section 284.5, "beginning teacher" also includes preschool teachers who are licensed by the board of educational examiners under chapter 272 and are employed by a school district or area education agency. "Beginning teacher" does not include a teacher whose employment with a school district or area education agency is probationary unless the teacher is serving under an initial or teacher intern license issued by the board of educational examiners under chapter 272.

Sec. 35. Section 284.4, subsection 1, paragraph c, subparagraph (3), Code 2009, is amended to read as follows:

(3) Determine, following the adoption of the Iowa professional development model by the state board of education, the use and distribution of the professional development funds dis-

~~tributed~~ calculated and paid to the school district or agency as provided in section ~~284.13 257.9, subsection 10, or section 257.10, subsection 1, paragraph "d" 10,~~ based upon school district or agency, attendance center, and individual teacher and professional development plans.

Sec. 36. Section 284.6, subsections 8 and 9, Code 2009, are amended to read as follows:

8. For each year in which a school district receives funds ~~allocated for distribution~~ calculated and paid to school districts for professional development pursuant to section ~~284.13 257.10, subsection 1, paragraph "d" 10, or section 257.37A, subsection 2,~~ the school district shall create quality professional development opportunities. The goal for the use of the funds is to provide one additional contract day or the equivalent thereof for professional development and use of the funds is limited to providing professional development to teachers, including additional salaries for time beyond the normal negotiated agreement; pay for substitute teachers, professional development materials, speakers, and professional development content; and costs associated with implementing the individual professional development plans. The use of the funds shall be balanced between school district, attendance center, and individual professional development plans, making every reasonable effort to provide equal access to all teachers.

9. ~~The distribution of funds allocated for professional development pursuant to section 284.13, subsection 1, paragraph "d", shall be made in one payment on or about October 15 of the fiscal year for which the appropriation is made, taking into consideration the relative budget and cash position of the state resources. Moneys received pursuant to section 284.13 257.10, subsection 1, paragraph "d", shall not be commingled with state aid payments made under section 257.16 to a school district, shall be accounted for by the local school district separately from state aid payments, and are miscellaneous income for purposes of chapter 257. A school district shall maintain a separate listing within its budget for funds received and expenditures made pursuant to this subsection 10, or section 257.37A, subsection 2, shall be maintained as a separate listing within its budget for funds received and expenditures made pursuant to this subsection.~~ A school district shall certify to the department of education how the school district allocated the funds and that moneys received under this subsection were used to supplement, not supplant, the professional development opportunities the school district would otherwise make available.

Sec. 37. Section 284.7, unnumbered paragraph 1, Code 2009, is amended to read as follows:

To promote continuous improvement in Iowa's quality teaching workforce and to give Iowa teachers the opportunity for career recognition that reflects the various roles teachers play as educational leaders, an Iowa teacher career path is established for teachers employed by school districts. A school district shall use funding ~~allocated under~~ calculated and paid pursuant to section ~~284.13 257.10, subsection 1, paragraph "h" 9,~~ to raise teacher salaries to meet the requirements of this section. The Iowa teacher career path and salary minimums are as follows:

Sec. 38. Section 284.7, subsection 1, paragraph b, subparagraph (1), unnumbered paragraph 1, Code 2009, is amended to read as follows:

A career teacher is a teacher who holds a statement of professional recognition issued by the board of educational examiners under chapter 272 or who meets the following requirements:

Sec. 39. Section 284.7, Code 2009, is amended by adding the following new subsection:

NEW SUBSECTION. 6. A school district that is unable to meet the provisions of subsection 1 with funds calculated and paid to the school district pursuant to section 257.10, subsection 9, may request a waiver from the department to use funds calculated and paid under section 257.10, subsection 11, to meet the provisions of subsection 1 if the difference between the funds calculated and paid pursuant to section 257.10, subsection 9, and the amount required to comply with subsection 1 is not less than ten thousand dollars. The department shall consid-

er the average class size of the school district, the school district's actual unspent balance from the preceding year, and the school district's current financial position.

Sec. 40. Section 284.13, subsection 1, paragraphs a, b, c, and j, Code 2009, are amended to read as follows:

a. For the fiscal year beginning July 1, ~~2008~~ 2009, and ending June 30, ~~2009~~ 2010, to the department of education, the amount of one million ~~seven~~ one hundred ~~seven~~ twenty-five thousand ~~five hundred~~ dollars for the issuance of national board certification awards in accordance with section 256.44. Of the amount allocated under this paragraph, not less than eighty-five thousand dollars shall be used to administer the ambassador to education position in accordance with section 256.45.

b. For the fiscal year beginning July 1, ~~2006~~ 2009, and succeeding fiscal years, an amount up to ~~four~~ three million ~~six~~ nine hundred ~~fifty~~ forty-nine thousand ~~seven hundred~~ fifty dollars for first-year and second-year beginning teachers, to the department of education for distribution to school districts and area education agencies for purposes of the beginning teacher mentoring and induction programs. A school district or area education agency shall receive one thousand three hundred dollars per beginning teacher participating in the program. If the funds appropriated for the program are insufficient to pay mentors, school districts, and area education agencies as provided in this paragraph, the department shall prorate the amount distributed to school districts and area education agencies based upon the amount appropriated. Moneys received by a school district or area education agency pursuant to this paragraph shall be expended to provide each mentor with an award of five hundred dollars per semester, at a minimum, for participation in the school district's or area education agency's beginning teacher mentoring and induction program; to implement the plan; and to pay any applicable costs of the employer's share of contributions to federal social security and the Iowa public employees' retirement system or a pension and annuity retirement system established under chapter 294, for such amounts paid by the district or area education agency.

c. For each fiscal year of the fiscal period beginning July 1, 2007, and ending June 30, ~~2009~~ 2010, up to six hundred ninety-five thousand dollars to the department for purposes of implementing the professional development program requirements of section 284.6, assistance in developing model evidence for teacher quality committees established pursuant to section 284.4, subsection 1, paragraph "c", and the evaluator training program in section 284.10. A portion of the funds allocated to the department for purposes of this paragraph may be used by the department for administrative purposes and for not more than four full-time equivalent positions.

j. Notwithstanding section 8.33, any moneys remaining unencumbered or unobligated from the moneys allocated for purposes of paragraph "a", "b", or "c", ~~or "g"~~ shall not revert but shall remain available in the succeeding fiscal year for expenditure for the purposes designated. The provisions of section 8.39 shall not apply to the funds appropriated pursuant to this subsection.

Sec. 41. Section 284.13, subsection 1, paragraphs d, f, g, h, and i, Code 2009, are amended by striking the paragraphs.

Sec. 42. Section 284.13, subsection 2, Code 2009, is amended by striking the subsection.

Sec. 43. Section 284A.2, subsection 1, Code 2009, is amended to read as follows:

1. "Administrator" means an individual holding a professional administrator license issued under chapter 272, who is employed in a school district administrative position by a school district or area education agency pursuant to a contract issued by a board of directors under section 279.23, and is engaged in instructional leadership. An administrator may be employed in both an administrative and a nonadministrative position by a board of directors and shall be considered a part-time administrator for the portion of time that the individual is employed in an administrative position. "Administrator" does not include assistant principals or assistant superintendents.

Sec. 44. Section 422.33, Code 2009, is amended by adding the following new subsection: NEW SUBSECTION. 27. The taxes imposed under this division shall be reduced by a school tuition organization tax credit allowed under section 422.11S. The maximum amount of tax credits that may be approved under this subsection for a tax year equals twenty-five percent of the school tuition organization's tax credits that may be approved pursuant to section 422.11S, subsection 7, for a tax year.

Sec. 45. 2008 Iowa Acts, chapter 1181, section 84, is amended to read as follows:

SEC. 84. Section 284.13, subsection 1, paragraph f, Code Supplement 2007, is amended by striking the paragraph and inserting in lieu thereof the following:

f. For the fiscal year beginning July 1, 2008, and ending June 30, 2009, to the department of education, the amount of two hundred fifty thousand dollars ~~for distribution to the institute for tomorrow's workforce created pursuant to section 7K.1 to be used to supplement, not supplant, funds allocated for purposes of the beginning teacher mentoring and induction program as provided in subsection 1, paragraph "b".~~

Sec. 46. Chapter 7K, Code 2009, is repealed.

Sec. 47. Section 257.51, Code 2009, is repealed.

Sec. 48. EFFECTIVE DATES.

1. The section of this division of this Act providing for college student aid commission transfers, being deemed of immediate importance, takes effect upon enactment.

2. The section of this division of this Act providing for the transfer of board of educational examiners licensing fees, being deemed of immediate importance, takes effect upon enactment.

3. The section of this division of this Act amending 2008 Iowa Acts, chapter 1181, section 84, being deemed of immediate importance, takes effect upon enactment.

DIVISION II RESEARCH AND DEVELOPMENT SCHOOL

Sec. 49. NEW SECTION. 256G.1 LEGISLATIVE INTENT.

It is the intent of the general assembly to develop a state research and development prekindergarten through grade twelve school in order to do the following:

1. To raise and sustain the level of all prekindergarten through grade twelve students' educational attainment and personal development through innovative and promising teaching practice.

2. To enhance the preparation and professional competence of the educators in this state through collaborative inquiry and exchange of professional knowledge in teaching and learning.

3. To focus on research that transforms teaching practice to meet the changing needs of this state's educational system.

Sec. 50. NEW SECTION. 256G.2 DEFINITIONS.

For purposes of this chapter:

1. "Department" means the department of education.

2. "Director" means the director of the department of education.

3. "President" means the president of the university of northern Iowa.

4. "Research and development school" means a prekindergarten through grade twelve research, development, demonstration, and dissemination school using expanded facilities at the center for early development education, also known as the Price laboratory school, in Cedar Falls.

5. "University" means the university of northern Iowa.

Sec. 51. NEW SECTION. 256G.3 RESEARCH AND DEVELOPMENT SCHOOL FUNDING.

1. a. (1) The university and the board of directors of the Cedar Falls community school district shall develop a student transfer policy for the research and development school that will protect and promote the quality and integrity of the teacher education program and the viability of the education program of the Cedar Falls community school district.

(2) The policy shall include, in order of consideration, the reasons for which a request to transfer to the research and development school will be allowed by the school district. The research and development school may deny any request for transfer under the policy and such denial for transfer is not subject to appeal under section 290.1. The research and development school shall report the transfer and enrollment of a new student directly to the department.

b. The research and development school shall create and maintain a basic geographic boundary line agreement with the Cedar Falls community school district. The boundary line agreement shall ensure that students currently enrolled at the center for early development education shall continue to have priority access to enrollment at the research and development school. If such an agreement cannot be reached, the boundary line for the research and development school shall be the official boundary line of the Cedar Falls community school district.

c. Open enrollment under section 282.18 applies to the research and development school.

2. Funds provided by the university for the center for early development education under section 262.71 shall be redirected as applicable to support the research component at the research and development school.

Sec. 52. NEW SECTION. 256G.4 RESEARCH AND DEVELOPMENT SCHOOL — GOVERNANCE.

1. The board of regents shall be the governing entity of the research and development school and as such shall be responsible for the faculty, facility, grounds, and staffing.

2. The department shall be the accreditation agency and as such shall serve as the authority on teacher qualification requirements and waiver provisions.

3. a. A seventeen-member advisory council is created, composed of the following members:

(1) Three standing committee members as follows:

(a) The director.

(b) The president.

(c) The director of the research and development school, serving as an ex officio, nonvoting member.

(2) Ten members shall be jointly recommended for membership by the president and the director and shall be jointly approved by the state board of regents and the state board of education, shall serve three-year staggered terms, and shall be eligible to serve for two consecutive three-year terms on the council in addition to any partial, initial term:

(a) One member representing prekindergarten through grade six public school teachers, who is also a participating member of a teacher quality committee created pursuant to section 284.4, subsection 1, paragraph "c".

(b) One member representing grade seven through grade nine public school teachers, who is also a participating member of a teacher quality committee created pursuant to section 284.4, subsection 1, paragraph "c".

(c) One member representing grade ten through grade twelve public school teachers, who is also a participating member of a teacher quality committee created pursuant to section 284.4, subsection 1, paragraph "c".

(d) One member representing prekindergarten through grade twelve administrators.

(e) One member representing area education agencies.

(f) One member representing Iowa state university of science and technology.

(g) One member representing the university of Iowa.

(h) One member representing parents of students at the research and development school.

(i) One member representing business and industry.

- (j) One member representing private colleges in the state.
- (3) Four members of the general assembly serving as ex officio, nonvoting members, one representative to be appointed by the speaker of the house of representatives, one representative to be appointed by the minority leader of the house of representatives, one senator to be appointed by the majority leader of the senate after consultation with the president of the senate, and one senator to be appointed by the minority leader of the senate.
 - b. One of the members representing public school teachers approved for membership pursuant to paragraph "a", subparagraph (2), subparagraph divisions (a) through (c) shall be an active teacher in the Cedar Falls community school district.
 - c. (1) The advisory council shall review and evaluate the educational processes and results of the research and development school.
 - (2) The advisory council shall provide an annual report to the president, the director, the state board of regents, the state board of education, and the general assembly.
 - 4. a. An eleven-member standing institutional research committee, appointed by the president and the director, is created, composed of the following members:
 - (1) The director of research at the research and development school or the person designated with this responsibility.
 - (2) One member representing the university of northern Iowa.
 - (3) One member representing Iowa state university of science and technology.
 - (4) One member representing the university of Iowa.
 - (5) One member representing business and industry.
 - (6) One member representing prekindergarten through grade six public school teachers, who is also a participating member of a teacher quality committee created pursuant to section 284.4, subsection 1, paragraph "c".
 - (7) One member representing grade seven through grade nine public school teachers, who is also a participating member of a teacher quality committee created pursuant to section 284.4, subsection 1, paragraph "c".
 - (8) One member representing grade ten through grade twelve public school teachers, who is also a participating member of a teacher quality committee created pursuant to section 284.4, subsection 1, paragraph "c".
 - (9) One member representing the boards of school districts selected from a list of nominees submitted by the Iowa association of school boards.
 - (10) One member representing the department.
 - (11) One member representing private colleges in the state.
 - b. The appointed members should collectively possess the following characteristics:
 - (1) Be well informed about the educational needs of students in the state.
 - (2) Be aware of and understand the standards and protocol for educational research.
 - (3) Understand the dissemination of prekindergarten through grade twelve research results.
 - (4) Understand the impact of educational research.
 - (5) Be knowledgeable about compliance with human subject protection protocol.
 - c. One of the members representing public school teachers approved for membership pursuant to paragraph "a", subparagraphs (6) through (8) shall be an active teacher in the Cedar Falls community school district.
 - d. The committee shall serve as the clearinghouse for the investigative and applied research at the research and development school.
 - e. The committee shall create research protocols, approve research proposals, review the quality and results of performed research, and provide support for dissemination efforts.

Sec. 53. Section 257.6, subsection 1, paragraph b, Code 2009, is amended by striking the paragraph.

Sec. 54. Section 282.18, Code 2009, is amended by adding the following new subsections:
NEW SUBSECTION. 15A. a. If a request under this section is for transfer to a laboratory

school, as described in chapter 256G, the student, who is the subject of the request, shall be included in the basic enrollment of the student’s district of residence and the board of directors of the district of residence shall pay to a laboratory school the state cost per pupil for the previous school year, plus any moneys received for the pupil as a result of the non-English speaking weighting under section 280.4, subsection 3, for the previous school year multiplied by the state cost per pupil for the previous year.

b. Notwithstanding subsection 7, a district of residence shall not be required to pay the state cost per pupil for a student attending a laboratory school during the school year beginning July 1, 2010, if the student was not included in the district of residence’s enrollment count for funding purposes in the school year beginning July 1, 2009.

NEW SUBSECTION. 15B. a. The total enrollment of the research and development school shall be limited to six hundred fifty students.

b. Open enrollment requests accepted by the research and development school shall be limited to a five percent increase per year of students from each of the Cedar Falls community school district and the Waterloo school district over the previous year’s enrollment at the research and development school.

c. The total number of students enrolled in the research and development school from the Cedar Falls community school district shall be limited to not more than ten percent of the total district enrollment of the Cedar Falls community school district.

d. Open enrollment requests accepted by the research and development school from a school district shall be limited to not more than two percent of a school district’s previous year’s total enrollment count. This subsection does not apply to the Cedar Falls community and Waterloo school districts.

Sec. 55. RESEARCH AND DEVELOPMENT SCHOOL — INFRASTRUCTURE FUNDING STUDY. The department of education, in collaboration with representatives of the university of northern Iowa, as designated by the president, shall create a report about potential access to various infrastructure funding for the research and development school. The department shall submit the report to the general assembly and the governor by January 15, 2010.

Sec. 56. RESEARCH AND DEVELOPMENT SCHOOL INFRASTRUCTURE.

1. a. There is appropriated from the general fund of the state to the university of northern Iowa for the fiscal year beginning July 1, 2009, and ending June 30, 2010, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For a contract with a design firm to evaluate the condition of the center for early development education in Cedar Falls and determine an approximate cost of both renovation of the current facility and new construction with a recommendation as to which is more feasible:

..... \$ 35,000

b. The design firm’s recommendation shall consider the following property elements:

- (1) Grounds, utility, and paving systems.
- (2) Exterior systems, including the roof, walls, windows, exterior doors, and structural components.
- (3) Interior systems, including walls, doors, floors, and ceilings.
- (4) Fire and life safety issues.
- (5) Readily achievable design features meeting the requirements of the federal Americans With Disabilities Act.
- (6) Heating, ventilation, and air conditioning including control mechanisms.
- (7) Electrical and electrical distribution system.
- (8) Plumbing.
- (9) Fire protection.
- (10) Elevators.
- (11) Special construction.

c. The design firm shall report in fiscal year 2010-2011 to the president, the director, and the

transition team the results of its evaluation and recommendation. The transition team shall report the design firm's findings to the general assembly by January 15, 2012.

2. Leadership in energy and environmental design certification shall be sought in order that the research and development school serve as a model of energy efficiency and design.

3. A three-year timeline to establish the research and development school is proposed for the university and the department. A transition team, appointed by the president and the director, shall develop and implement specific transition plans for the first year of the transition and for the entire three-year transition period in order to establish a functioning research and development school at the end of the transition period. The transition team shall include but not be limited to two members who are active teachers in the Cedar Falls community school district and one member who is an active teacher in the Waterloo school district. The transition team shall use the recommendations for each year of the transition as submitted in the report of the committees required by 2008 Iowa Acts, chapter 1101, to oversee the transition.

Sec. 57. EFFECTIVE DATES.

1. This division of this Act takes effect July 1, 2009.

2. Notwithstanding subsection 1, the sections of this division of this Act enacting section 256G.3 and amending section 257.6, subsection 1, and section 282.18 take effect July 1, 2010.

Approved May 26, 2009, with exceptions noted.

CHESTER J. CULVER, *Governor*

Dear Mr. Secretary:

I hereby transmit Senate File 470, an Act relating to the funding of, the operation of, and appropriation of moneys to the college student aid commission, the department for the blind, the department of education, and the state board of regents, providing for related matters, and providing effective dates. Senate File 470 is approved on this date, with the exceptions noted below, which I hereby disapprove.

I am unable to approve the item designated as Section 13, subsection 3 of the bill. This item directs employees to submit actual receipts for meals and other costs and requires that reimbursement up to the maximum amount shall only be allowed in an amount equal to the sum of the actual receipts submitted. While I agree with the general intent of this section and believe that employees should be reimbursed only for actual expenses, this language would be particularly difficult to administer because similar language has not been included for every state agency or department or for the Legislature's own employees. Accordingly, I have issued Executive Order Thirteen² to require the Department of Administrative Services (DAS) to implement a policy that will require every executive department of the Culver-Judge Administration to institute cost-effective and transparent practices that will track reimbursements paid to state employees for meals, travel and other work-related costs.

I am unable to approve Section 29 in its entirety. Section 29 creates a new Code Chapter, 261D.4 Provisional Withdrawal from Compact. The language authorizes the State of Iowa's withdrawal from the Midwestern Higher Education Compact effective July 1, 2009. While I appreciate that this language in Section 29 was developed as a cost-savings measure to save the state the cost of the annual membership in the Compact, such a temporary withdrawal from the Compact would violate the terms of the Compact in Iowa Code Chapter 261D. Additionally, Iowa state and local governments and school districts have saved over \$547,000

² Published in IAB, Vol. XXXII, No. 5, (8/26/09), p. 596

through group purchasing opportunities provided by Midwestern Higher Education Compact. The Board of Regents has committed to find the necessary funding in FY 2010 to continue Iowa's membership in the Compact.

For the above reasons, I respectfully disapprove of the designated items in accordance with Article III, Section 16 of the Constitution of the State of Iowa. All other items in Senate File 470 are hereby approved this date.

Sincerely,
CHESTER J. CULVER, Governor

CHAPTER 178

APPROPRIATIONS — JUSTICE SYSTEM

S.F. 475

AN ACT relating to and making appropriations to the justice system, and including effective and retroactive applicability date provisions.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. DEPARTMENT OF JUSTICE.

1. There is appropriated from the general fund of the state to the department of justice for the fiscal year beginning July 1, 2009, and ending June 30, 2010, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

a. For the general office of attorney general for salaries, support, maintenance, and miscellaneous purposes, including the prosecuting attorneys training program, victim assistance grants, office of drug control policy (ODCP) prosecuting attorney program, and odometer fraud enforcement, and for not more than the following full-time equivalent positions:

.....	\$	8,592,145
.....	FTEs	232.50

It is the intent of the general assembly that as a condition of receiving the appropriation provided in this lettered paragraph, the department of justice shall maintain a record of the estimated time incurred representing each agency or department.

b. For victim assistance grants:

.....	\$	2,400,000
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The funds appropriated in this lettered paragraph shall be used to provide grants to care providers providing services to crime victims of domestic abuse or to crime victims of rape and sexual assault.

The balance of the victim compensation fund established in section 915.94 may be used to provide salary and support of not more than 22 FTEs and to provide maintenance for the victim compensation functions of the department of justice.

The department of justice may transfer moneys from the victim compensation fund established in section 915.94 to the victim assistance grant program.

c. For legal services for persons in poverty grants as provided in section 13.34:

.....	\$	1,954,634
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